

1
2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Felicia Ann Red,
10 Plaintiff,

11 v.

12 Arizona State Prison Complex Perryville, et
13 al.,

14 Defendants.

No. CV-23-01787-PHX-MTL

ORDER

15 Pending before the Court is the Report and Recommendation (“R&R”) (Doc. 23)
16 from Magistrate Judge Eileen S. Willett, recommending that Plaintiff’s Second Amended
17 Complaint (Doc. 16) be dismissed without prejudice for failure to serve pursuant to Fed.
18 R. Civ. P. 4(m).

19 Plaintiff was given fourteen days from the date of service of the R&R to file specific
20 written objections with the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No
21 objections have been received. Therefore, the Court will accept and adopt the R&R. *See*
22 *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to
23 conduct “any review at all . . . of any issue that is not the subject of an objection”; *see also*
24 *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (explaining
25 the “statute makes it clear that the district judge must review the magistrate judge’s findings
26 and recommendations de novo *if objection is made*, but not otherwise”) (emphasis in
27 original).

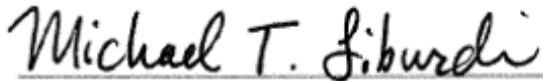
28

1 Accordingly,

2 **IT IS ORDERED** that the Report and Recommendation (Doc. 23) is accepted.
3 Plaintiff's Second Amended Complaint (Doc. 16) is dismissed without prejudice.

4 **IT IS FURTHER ORDERED** that the Clerk of Court shall enter a judgment of
5 dismissal and close this case.

6 Dated this 7th day of January, 2025.

7
8 

9 Michael T. Liburdi
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28